

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

HP TUNERS, LLC, a Nevada limited liability company,)
)
)

Plaintiff,

vs.

KEVIN SYKES-BONNETT and SYKED
ECU TUNING INCORPORATED, a
Washington corporation,

Defendants.

No. 3:17-cv-05760 BHS

**DEFENDANTS' MOTION TO SEAL
KENDRICK DECLARATION**

Noted for: September 21, 2018

Pursuant to LCR 5(g) and Section 4.4 of the Protective Order (*see* Dkt. 39), Defendants Kevin Sykes-Bonnett, John Martinson, and Syked ECU Tuning, Inc. ("Defendants") by and through its counsel, respectfully requests that the Court seal the Kendrick Declaration, and Exhibits A and B of the Kendrick Declaration in support of Defendants' Reply in Support of its Motion to Compel Production. Under the Protective Order, Plaintiff HP Tuners, LLC ("Plaintiff") designated these documents as Confidential and Defendants do not oppose that confidentiality designation. Further, the Kendrick Declaration quotes directly from both confidential documents. The private interests of both Defendants' and Plaintiff of protecting their trade secrets outweigh any interest that the public may have in knowing the contents of

1 these exhibits. *See* LCR 5(g)(3)(B). Additionally, there is no less restrictive alternative for
2 protecting the contents of these exhibits because the confidential information contained within
3 them is the subject of Defendants' Motion for a Temporary Restraining Order. *Id.*

4 In accordance with LCR 5(g)(3)(A), counsel for the parties previously met and conferred
5 in connection with this motion to seal on September 7, 2018.
6

7 DATED: September 7, 2018

8 LANE POWELL PC

9 By s/Gregory F. Wesner

10 Gregory F. Wesner, WSBA No. 30241
11 wesnerg@lanepowell.com
12 1420 Fifth Avenue, Suite 4200
13 P.O. Box 91302
14 Seattle, WA 98111-9402
15 Telephone: 206-223-7000
16 Facsimile: 206-223-7107

17 John E. Whitaker, WSBA No. 28868

18 Attorneys for Defendants Kevin Sykes-
19 Bonnett, John Martinson and Syked ECU
20 Tuning Incorporated
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CERTIFICATE OF SERVICE

I hereby certify that on September 7, 2018 I electronically filed the above with the Clerk of the Court using the CM/ECF system. In accordance with their ECF registration agreement and the Court's ruling, the Clerk of the Court will send email notification of such filing to the following persons:

| | | |
|---|-------------------------------------|----------------------------------|
| Attorneys for Plaintiff HP TUNERS, LLC | <input checked="" type="checkbox"/> | by CM/ECF |
| | <input type="checkbox"/> | by Electronic Mail |
| Stephen G. Leatham, WSBA No. 15572 | <input type="checkbox"/> | by Facsimile Transmission |
| Heurlin, Potter, Jahn, Leatham, Holtmann & Stoker, P.S. | <input type="checkbox"/> | by First Class Mail |
| 211 E. McLoughlin Boulevard, Suite 100 | <input type="checkbox"/> | by Hand Delivery |
| Vancouver, WA 98663 | <input type="checkbox"/> | by Overnight Delivery |
| Phone: (360) 750-7547 | | |
| Facsimile: (360) 750-7548 | | |
| Email: sgl@hpl-law.com | | |

| | | |
|---|-------------------------------------|----------------------------------|
| Attorneys for Plaintiff HP TUNERS, LLC | <input checked="" type="checkbox"/> | by CM/ECF |
| | <input type="checkbox"/> | by Electronic Mail |
| Andrew P. Bleiman (<i>pro hac vice</i> admitted) | <input type="checkbox"/> | by Facsimile Transmission |
| Marks & Klein | <input type="checkbox"/> | by First Class Mail |
| 1363 Shermer Road, Suite 318 | <input type="checkbox"/> | by Hand Delivery |
| Northbrook, IL 60062 | <input type="checkbox"/> | by Overnight Delivery |
| Phone: (312) 206-5162 | | |
| Email: andrew@marksklein.com | | |

Executed on September 7, 2018, at Seattle, Washington.

s/Kathi Milner
Kathi Milner, Legal Assistant